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in the Pacific ocean as constituting the outpost in the world's movement towards social betterment.

The efforts of the people of New Zealand, working through the agency of their government, to overcome the evils of land monopoly, to improve labor conditions and prevent industrial disputes, to provide for their aged poor by means of old age pensions, to extend the suffrage to women, to provide homes for their workers, to prevent the evils of private monopoly by an extension of the field of government ownership and management of industry, and to make capital available at low rates of interest for their farmers and working people by a use of government credit to secure loans from abroad are recited in the language of an enthusiast who makes no mention of the difficulties which have been and are still being encountered in the carrying out of this social program.

Mr. Lusk's avowed purpose is to present such an account of the New Zealand legislation as shall lead other peoples, especially those of America, to follow the path which his country has blazed, but such a misleading statement as he has given will hinder rather than aid in the accomplishment of that purpose.

That New Zealand's social program is highly interesting and instructive no one can doubt: that on the whole it is likely to succeed is the belief of the reviewer, but that the legislation is as yet only experimental must be confessed by any well-wishing but impartial investigator.

Mr. Lusk's book is full of inaccuracies and as a scientific treatise it has no merits.

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McLAUGHLIN, A. C. *The Courts, the Constitution and Parties.* Pp. vii, 299. Price, \$1.50. Chicago: University of Chicago Press, 1912.

This book includes five articles, all but the first of which have been published before. The first article answers the question, "How did it happen that courts in America began in the latter part of the eighteenth century to refuse to recognize as law legislative acts which had the appearance of law and which were issued with all the formalities of law?" It presents briefly the position of the Supreme Court in *Marbury vs Madison*, and then goes backward historically, attempting to discover the foundations for this decision. The author finds these foundations in certain principles of great influence in the minds of men of revolutionary days, chief of which were: (1) the principle of the separation of powers and the independence of the judiciary, which led courts to believe that they were not bound in their interpretation of the constitution by the decisions of a collateral branch of the government; (2) the prevalent and deeply cherished conviction that governments must be checked and limited in order that individual liberty may be protected and properly preserved; (3) the universal belief in a fundamental law which should be maintained and preserved at all costs; (4) the firm belief in natural rights as superior to all governmental authority and in the principles of natural justice as constitu-

ting local limitations upon governmental activity; (5) the principle of English law, back of which was a long course of English constitutional development, that the courts would consider an act of Parliament contrary to natural justice or reason void and pass it "into disuse."

Articles II and III, entitled respectively, "The Significance of Political Parties" (previously published in the *Atlantic Monthly*, February, 1908), and "Political parties and Popular Government" (an address before the Phi Beta Kappa Society of Indiana University in June, 1911), treat the vital part played by the party in securing popular government. The author's main thesis is that the government that runs the government is the party, and that, therefore, to control their government, the people must control their political parties.

The fourth article, "Social Compact and Constitutional Construction" (previously published in the *American Historical Review*), discusses the changing theories in political philosophy that have laid the foundations for the different theories concerning the nature of the nation.

The last article, "A Written Constitution in Some of Its Historical Aspects" (published in the *Michigan Law Review*, and in the *Proceedings of the Fiftieth Anniversary of the Constitution of Iowa*) shows that the American constitutional system took its rise in the theory of compact and of individual right and in the principle that governments should be of law and not of men. It shows how the national government is now doing many things so far in advance of the conception of the Fathers, that "we find difficulty, by processes of devious ratiocination, in reconciling them with the idea that the Constitution is a document of enumerated powers." He feels that the new national conscience must be recognized, and that if states cannot individually do their duty, their duty must be done for them by the national government. The preservation of state rights depends as ever upon the performance of state duties.

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MONROE, PAUL. (Ed.) *Cyclopedia of Education*. Vol. IV. Pp. xiii, 740. Price, \$5.00. New York: Macmillan Company, 1913.

The present volume is more remarkable for the number and variety of its minor topics than for its leading articles. It occasions some wonder, moreover, to find that Hough has thirteen columns for *logic*, Cohen twenty-three for *philosophy* and that state systems are described at length, as if each were a peculiar type, whereas they are substantially alike in essentials; and on the other hand to find important practical topics, such as the teaching of the subjects of instruction and the various aspects of educational theory, so reduced that the accounts are superfluous to those who know a little about them, and inadequate to those who wish a fundamental treatment. While it is true that such men as Dewey illuminate every subject they touch, yet one can but regret that they are not permitted to do for education what the larger cyclopedias do for the important topics they treat.